

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JACOBSEN,

No. C-06-01905 JSW (EDL)

Plaintiff,

**ORDER RE: SETTLEMENT  
CONFERENCE**

v.

KATZER, et al.,

Defendant.

This case has been referred to the Court for a settlement conference, which is scheduled for February 13, 2008. On October 22, 2007, the Court held a telephone conference in response to Plaintiff's October 1, 2007 letter seeking the Court's assistance regarding disclosure of information to Plaintiff from Defendant in advance of the settlement conference. At that conference, the Court indicated that in order to have meaningful settlement discussions, some basic information should be exchanged, including Defendant's position on validity, enforceability and infringement of the '329 patent. On October 23, 2007, Defendant responded by sending an e-mail to the Court's courtroom deputy, with a copy to Plaintiff's counsel, specifying information that it intended to provide (copy available to parties upon request).

To the extent that Defendant has not already provided to Plaintiff the information referenced in the e-mail, such as the chart of prior art, Defendant shall do so. In addition, Defendant shall provide to Plaintiff basic supporting facts and legal argument sufficient to explain its position on validity, enforceability and infringement of the '329 patent. This information shall be served on Plaintiff, and lodged, not filed, with this Court (not Judge White's chambers) no later than January 31, 2008. This information may only be used for settlement purposes. Any confidential strategy

1 need not, of course, be provided to Plaintiff, but instead may be included in the confidential  
2 settlement conference statement lodged with the Court.

3 **IT IS SO ORDERED.**

4 Dated: January 23, 2008

*Elizabeth D. Laporte*  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge